

15. (currently amended) The bone stabilization device as set forth in claim 14 wherein said locking surface is a ledge formed around at least part of said aperture inner surface and said resilient extension has an outwardly extending lip for engaging said ledge.

**IN THE DRAWINGS**

FIG. 12 has been revised to more closely conform to the informal FIG. 12 and better show groove 61 and gaps 26. No new matter has been added.

Attachment: Replacement Sheet

REMARKS

Reconsideration and withdrawal of the rejection of all the claims now in the application (i.e. Claims 1-15) is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner rejected claims 1, 5 and 10 as being anticipated by Bono U.S. Patent 5,954,722, claims 1-6 and 8 as being anticipated by Lin U.S. Patent 5,607,428 and rejected claims 2-4, 6, 7, 9 and 11-15 as being obvious over Bono in view of Haag et al. U.S. Patent 5,976,141. Applicant has amended the independent claims of the application 1 and 11 to recite that an opening has an internal surface including outwardly facing recessed surface and that the insert has complimentary surfaces engaging these surfaces. Likewise, the insert has outwardly facing walls complimentary to and engaging the walls of the load bearing element or bone plate which extend from adjacent the bone contacting surface to the recessed surface.

Consequently, as now claimed, the insert has surfaces which are complimentary to and engage the surfaces of the openings in the plate. While Bono and Lin have inserts which match the side walls in the load bearing element or plate, they do not have the claimed recessed area with its corresponding complimentary surface. This allows the insert to be placed into the outer surface of the plate towards the bone contacting surface of the plate while the plate is attached to the bone perhaps by other fasteners which are not threadably coupled to the plate. This is not possible in Lin et al. where the insert is inserted from a bone contacting surface upward nor in Bono et al. which clearly states in column 3, lines 51 onward that the locking plate includes semi-split donut shaped bushing 16 press-fit into the locking plate 12 to form a plate sub-assembly. The upwardly facing recessed surfaces as claimed in the present invention allow the insert to be placed into the plate at any

desired point during its use. Furthermore, the complimentary engaging surfaces allow load to be transferred to the outwardly facing surface of the plate rather than to the sidewalls as Bone and Lin.

Haag et al. likewise shows an insert in FIG. 4 thereof which has only point contact with the side walls when loaded which is the result of its surface 32 not being complimentary to surface 102 of the load bearing element or bone plate.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

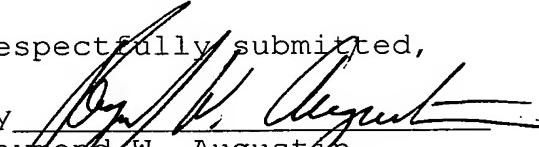
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By

  
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